



## Lessard-Sams Outdoor Heritage Council

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### Laws of Minnesota 2020 Accomplishment Plan

#### General Information

**Date:** 08/10/2021

**Project Title:** Wetland Habitat and Protection Program - Phase 5

**Funds Recommended:** \$2,683,000

**Legislative Citation:** ML 2020, Ch. 104, Art. 1, Sec. 2, subd 4(c )

**Appropriation Language:** \$2,683,000 the second year is to the commissioner of natural resources for an agreement with Minnesota Land Trust to acquire permanent conservation easements and to restore and enhance prairie, wetland, and other habitat on permanently protected conservation easements in high-priority wetland habitat complexes in the prairie and forest/prairie transition regions. Of this amount, up to \$240,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed conservation easement acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

#### Manager Information

**Manager's Name:** Wayne Ostlie

**Title:** Director of Land Protection

**Organization:** Minnesota Land Trust

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#### Location Information

**County Location(s):** Otter Tail, Todd, Becker, Pope, Grant, Wilkin and Swift.

**Eco regions in which work will take place:**

- Forest / Prairie Transition
- Prairie

**Activity types:**

- Protect in Easement
- Restore
- Enhance

**Priority resources addressed by activity:**

- Wetlands
- Prairie
- Forest
- Habitat

## **Narrative**

### **Abstract**

Phase 5 of the Wetland Habitat Protection and Restoration Program will result in the protection of 1,040 acres of high priority wetland habitat complexes in Minnesota's Prairie and Forest-Prairie Transition areas by securing permanent conservation easements within scientifically prioritized habitat complexes. The Minnesota Land Trust will use its innovative market-based landowner bid model to maximize conservation benefit and financial leverage in protection project selection. In addition, a partnership between the US Fish and Wildlife Service and Land Trust will restore/enhance 942 acres of wetlands and associated prairies to benefit important waterfowl and SGCN populations.

### **Design and Scope of Work**

Wetlands and shallow lakes provide the essential backbone for the survival of waterfowl and other important wildlife species. In fact, more than 50% of Minnesota's Species in Greatest Conservation Need (SGCN) use wetlands during their life cycle. Most of the plans developed to protect Minnesota's wildlife—including Minnesota's Comprehensive Wildlife Conservation Strategy, the Statewide Conservation and Preservation Plan, and the Long Range Duck Recovery Plan—cite the protection and restoration of the state's remaining wetlands as one of the top priorities to achieve the State's conservation goals. Moreover, these plans cite the use of conservation easements on private lands as one of the primary strategies to protect important wetland and shallow lake habitat.

Minnesota Land Trust's Wetlands Habitat Protection Program area extends from Meeker County northwest to Becker County, located along a vast glacial moraine system in western Minnesota. This prairie pothole country is the core of Minnesota's "duck factory" and is central to one of North America's most important flyways for migratory waterfowl. Through Phase 3 of this program, the Land Trust has procured 20 conservation easements protecting nearly 2,796 acres of habitat and 133,387 feet of shoreline (>25 miles).

Phase 5 will build on these accomplishments by broadening the Program's focus to include – along with wetland protection – habitat restoration and enhancement. In a partnership between the Land Trust and U.S. Fish and Wildlife Service's (USFWS) Partners for Fish and Wildlife Program, this proposal will restore/enhance 942 acres of important prairie and wetland habitat on private lands already protected within the Program area. In addition, the Land Trust will protect 823 acres of new priority wetland and associated upland habitat through conservation easements. The Program will be closely coordinated with other public agencies, non-profit organizations and other stakeholders to ensure this Program meets multi-agency conservation goals.

The Land Trust will continue to implement a criteria-based ranking system and market approach for purchasing conservation easements. The Program will continue to target projects that help complete gaps in existing public ownership, are of the highest ecological value, and provide the greatest leverage to the state. The Land Trust will seek donated easements in these areas whenever possible but also may purchase the full or partial value of an easement to complete key complexes as necessary.

To focus our easement protection work, we used the Prairie Plan and other data sets and plans to shape our Wetlands Program plan and identify important wetland complexes in this landscape based on the nexus of high-quality habitat, existing protected areas and restorable agricultural lands. These complexes include a mosaic of wetland, prairie/grassland, and forest habitats, as well as agricultural land. Outcomes from this project include: 1) healthy wetland habitat complexes and associated populations of waterfowl, upland birds, and SGCN; 2) improved water quality; 3) increased participation of private landowners in habitat conservation projects; and 4) enhancement of prior public investments in wetland and upland habitat projects.

### **How does the plan address habitats that have significant value for wildlife species of greatest conservation need, and/or threatened or endangered species, and list targeted species?**

This program addresses LSOHC priorities by protecting shallow lakes, wetland/grassland complexes, and shoreland that provide critical habitat for Minnesota's wildlife, especially its migratory waterfowl and associated species.

Minnesota's wetlands are essential to our wildlife health and diversity. This project directly benefits SGCN and other important game and non-game wildlife species by minimizing the potential threats to their habitat caused by detrimental agricultural practices, residential or commercial development or imprudent land management. The wetland habitat complexes that will be targeted through the ranking system will include a mosaic of wetlands, grasslands and woodlands. Priority projects will include high or outstanding habitat as identified in Minnesota Biological Survey data. Projects will also be located near other protected lands to help build larger habitat complexes comprised of both public and private lands. The vast majority of this landscape is in private ownership. For that reason, working with private owners on land protection strategies is key to successful conservation in this region. Finally, we will work closely with partners in the region to identify those habitat complexes where private land protection can make a significant contribution to existing conservation investments.

### **Describe how the plan uses science-based targeting that leverages or expands corridors and complexes, reduces fragmentation or protects areas identified in the MN County Biological Survey:**

This program is focused on procuring easements and restoring prairie and wetland habitats on easement lands within priority complexes of wetlands and associated upland habitats, as guided by the State Wildlife Action Plan, Duck Plan and Prairie Plan. Specific parcels available for easement acquisition are evaluated relative to each other to identify priorities among the pool of applicants. This relative ranking is based on three primary ecological factors (1. amount of habitat on the parcel (size) and abundance of SGCN; 2. the quality or condition of habitat; and 3. the parcel's context relative to other natural habitats and protected areas) and cost. The program serves to build upon past conservation investments in the program area, expand the footprint of existing protected areas (WMAs,

WPAs, etc.), facilitate the protection of habitat corridors and reduce the potential for fragmentation of existing habitats. In addition, our partnership with USFWS will enable the Land Trust to further reduce effects of fragmentation through restoration of prairie, wetlands and other habitats. Minnesota Biological Survey data is a cornerstone to our assessment of potential conservation easement acquisitions; we also conduct field visits to further identify and assess condition of habitats prior to easement acquisition, because many private lands were not formally assessed through MBS.

**Which two sections of the Minnesota Statewide Conservation and Preservation Plan are most applicable to this project?**

- H1 Protect priority land habitats
- H5 Restore land, wetlands and wetland-associated watersheds

**Which two other plans are addressed in this program?**

- Long Range Duck Recovery Plan
- Minnesota's Wildlife Action Plan 2015-2025

**Which LSOHC section priorities are addressed in this program?**

**Forest / Prairie Transition**

- Protect, enhance, and restore wild rice wetlands, shallow lakes, wetland/grassland complexes, aspen parklands, and shoreland that provide critical habitat for game and nongame wildlife

**Prairie**

- Protect, enhance, or restore existing wetland/upland complexes, or convert agricultural lands to new wetland/upland habitat complexes

**Does this program include leveraged funding?**

Yes

**Explain the leverage:**

Through its market-based RFP process, the Land Trust expects private landowners to donate at least \$360,000 in easement value toward the program, which is shown as leverage. In addition, the USFWS will contribute \$12,000 in in-kind contributions toward restoration and enhancement projects on protected lands. In addition, the USFWS is committing \$12,000 in staff time for restoration planning and design.

**Per MS 97A.056, Subd. 24, Please explain whether the request is supplanting or is a substitution for any previous funding that was not from a legacy fund and was used for the same purpose.**

Funding procured by MLT through the Outdoor Heritage Fund through this proposal will not supplant or substitute any previous funding from a non-Legacy fund used for the same purpose.

**How will you sustain and/or maintain this work after the Outdoor Heritage Funds are expended?**

The land protected through conservation easements will be sustained through state-of-the-art standards and practices for conservation easement stewardship. The Minnesota Land Trust is a nationally-accredited land trust with a very successful stewardship program that includes annual property monitoring, effective records management, addressing inquiries and interpretations, tracking changes in ownership, investigating potential violations and defending the easement in cases of a true violation. Funding for these easement stewardship

activities is included in the project budget.

In addition, MLT will assist landowners in the development of comprehensive habitat management plans to help ensure that the land will be managed for its wildlife and water quality benefits. USFWS and MLT (as easement holders on respective properties) will work with landowners on an ongoing basis to provide habitat restoration plans, resources and technical expertise to undertake restoration, enhancement and ongoing management of these properties.

### Actions to Maintain Project Outcomes

Year	Source of Funds	Step 1	Step 2	Step 3
2024 and in perpetuity	MLT Long-Term Stewardship and Enforcement Fund	Annual monitoring of easements in perpetuity	Enforcement as necessary	-
Every 4-6 years	USFWS, Landowners, MLT	Prescribed fire, tree control, invasive species control	-	-

### Activity Details

#### Requirements

**If funded, this program will meet all applicable criteria set forth in MS 97A.056?**

Yes

**Is the land you plan to acquire (easement) free of any other permanent protection?**

Yes

**Who will manage the easement?**

Minnesota Land Trust.

**Who will be the easement holder?**

Minnesota Land Trust.

**What is the anticipated number of easements (range is fine) you plan to accomplish with this appropriation?**

The Land Trust will procure 6-10 conservation easements depending on size and cost of the parcels.

**Will restoration and enhancement work follow best management practices including MS 84.973 Pollinator Habitat Program?**

Yes

**Is the restoration and enhancement activity on permanently protected land per 97A.056, Subd 13(f), tribal lands, and/or public waters per MS 103G.005, Subd. 15?**

Yes

**Where does the activity take place?**

- Permanently Protected Conservation Easements
- Refuge Lands

## Land Use

**Will there be planting of any crop on OHF land purchased or restored in this program?**

Yes

**Explain what will be planted:**

Easement Acquisition:

The purpose of the Minnesota Land Trust's conservation easements is to protect existing high quality natural habitat and to preserve opportunities for future restoration. We restrict agricultural lands and use on the properties. In cases where there are agricultural lands associated with the larger property, we will either exclude the agricultural area from the conservation easement, or in some limited cases, we may include a small percentage of agricultural lands if it is not feasible to exclude those areas. In such cases, however, we will not use OHF funds to pay the landowners for that portion of the conservation easement.

Restoration/Enhancement:

Short-term use of agricultural crops is an accepted best practice for preparing a site for prairie restoration. For example, short-term use of soybeans could be used for restorations in order to control weed seedbeds prior to prairie planting. In some cases this necessitates the use of GMO treated products to facilitate herbicide use in order to control weeds present in the seedbank.

**Are any of the crop types planted GMO treated?**

True

**Will the eased land be open for public use?**

No

**Are there currently trails or roads on any of the proposed acquisitions?**

Yes

**Describe the types of trails or roads and the allowable uses:**

Most conservation easements are established on private lands, many of which have driveways, field roads and trails located on them. Often, the conservation easement permits the continued usage of established trails and roads so long as their use does not significantly impact the conservation values of the property. Creation of new roads/trails or expansion of existing ones is typically not allowed.

**Will the trails or roads remain and uses continue to be allowed after OHF acquisition?**

Yes

**How will maintenance and monitoring be accomplished?**

Existing trails and roads are identified in the project baseline report and will be monitored annually as part of the Land Trust's stewardship and enforcement protocols. Maintenance of permitted roads/trails in accordance with the terms of the easement will be the responsibility of the landowner.

**Will new trails or roads be developed or improved as a result of the OHF acquisition?**

No

**Will the acquired parcels be restored or enhanced within this appropriation?**

Yes

Restoration and enhancement may be completed on some parcels, depending on the the need and condition of each parcel.

**Timeline**

Activity Name	Estimated Completion Date
Conservation easements completed or options secured	June 30, 2023
Restoration and enhancement projects completed	June 30, 2025

**Date of Final Report Submission:** 11/01/2025

## Budget

Budget reallocations up to 10% do not require an amendment to the Accomplishment Plan.

### Totals

Item	Funding Request	Antic. Leverage	Leverage Source	Total
Personnel	\$342,000	\$12,000	USFWS	\$354,000
Contracts	\$555,000	-	-	\$555,000
Fee Acquisition w/ PILT	-	-	-	-
Fee Acquisition w/o PILT	-	-	-	-
Easement Acquisition	\$1,200,000	\$360,000	Landowner donation of easement value	\$1,560,000
Easement Stewardship	\$240,000	-	-	\$240,000
Travel	\$20,000	-	-	\$20,000
Professional Services	\$150,000	-	-	\$150,000
Direct Support Services	\$92,600	-	-	\$92,600
DNR Land Acquisition Costs	-	-	-	-
Capital Equipment	-	-	-	-
Other Equipment/Tools	\$13,400	-	-	\$13,400
Supplies/Materials	\$70,000	-	-	\$70,000
DNR IDP	-	-	-	-
<b>Grand Total</b>	<b>\$2,683,000</b>	<b>\$372,000</b>	-	<b>\$3,055,000</b>

### Personnel

Position	Annual FTE	Years Working	Funding Request	Antic. Leverage	Leverage Source	Total
MLT Protection Staff	0.4	3.0	\$114,000	-	-	\$114,000
MLT Restoration Staff	0.8	3.0	\$228,000	-	-	\$228,000
FWS Restoration Designer	0.1	3.0	-	\$12,000	USFWS	\$12,000

**Amount of Request:** \$2,683,000

**Amount of Leverage:** \$372,000

**Leverage as a percent of the Request:** 13.87%

**DSS + Personnel:** \$434,600

**As a % of the total request:** 16.2%

**Easement Stewardship:** \$240,000

**As a % of the Easement Acquisition:** 20.0%

**How will this program accommodate the reduced appropriation recommendation from the original proposed requested amount?**

The number of easements, acre protected and acres restored have been scaled proportionately from the original proposal.



**Describe and explain leverage source and confirmation of funds:**

The Land Trust encourages landowners to fully or partially donate the value of conservation easements to the program. The leverage amount is a conservative estimate of value we expect to see donated by landowners. USFWS has committed cash and in-kind staff time toward restoration/enhancement projects.

**Contracts****What is included in the contracts line?**

Restoration and enhancement accounts for \$475,000 of the contract line amount. Additional funds in the contract line are for the writing of habitat management plans via qualified vendors and engaging respective County Soil and Water Conservation Districts for landowner outreach purposes to facilitate communication of the protection program.

**Easement Stewardship****What is the number of easements anticipated, cost per easement for stewardship, and explain how that amount is calculated?**

The average cost per easement to fund the Minnesota Land Trust's perpetual monitoring and enforcement obligations is \$24,000. This figure is derived from MLT's detailed stewardship funding "cost analysis" which is consistent with Land Trust Accreditation standards. MLT shares periodic updates to this cost analysis with LSOHC staff.

**Travel****Does the amount in the travel line include equipment/vehicle rental?**

Yes

**Explain the amount in the travel line outside of traditional travel costs of mileage, food, and lodging**

Land Trust staff regularly rent vehicles for grant-related purposes, which is a significant cost savings over use of personal vehicles.

**I understand and agree that lodging, meals, and mileage must comply with the current MMB Commissioner Plan:**

No

**Direct Support Services****How did you determine which portions of the Direct Support Services of your shared support services is direct to this program?**

In a process that was approved by the DNR on March 17, 2017, Minnesota Land Trust determined our direct support services rate to include all of the allowable direct and necessary expenditures that are not captured in other line items in the budget, which is similar to the Land Trust's proposed federal indirect rate. We will apply this DNR-approved rate only to personnel expenses to determine the total amount of direct support services.

**Federal Funds****Do you anticipate federal funds as a match for this program?**

Yes

**Are the funds confirmed?**

Yes

**Is Confirmation Document attached?**

[Yes](#)

- In Kind : \$12,000

## Output Tables

### Acres by Resource Type (Table 1)

Type	Wetland	Prairie	Forest	Habitat	Total Acres
Restore	25	191	0	0	216
Protect in Fee with State PILT Liability	0	0	0	0	0
Protect in Fee w/o State PILT Liability	0	0	0	0	0
Protect in Easement	0	0	0	1,040	1,040
Enhance	43	683	0	0	726
<b>Total</b>	<b>68</b>	<b>874</b>	<b>0</b>	<b>1,040</b>	<b>1,982</b>

### How many of these Prairie acres are Native Prairie? (Table 1b)

Type	Native Prairie (acres)
Restore	42
Protect in Fee with State PILT Liability	0
Protect in Fee w/o State PILT Liability	0
Protect in Easement	0
Enhance	51
<b>Total</b>	<b>93</b>

### Total Requested Funding by Resource Type (Table 2)

Type	Wetland	Prairie	Forest	Habitat	Total Funding
Restore	\$40,000	\$162,000	-	-	\$202,000
Protect in Fee with State PILT Liability	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-
Protect in Easement	-	-	-	\$1,838,000	\$1,838,000
Enhance	\$79,600	\$563,400	-	-	\$643,000
<b>Total</b>	<b>\$119,600</b>	<b>\$725,400</b>	<b>-</b>	<b>\$1,838,000</b>	<b>\$2,683,000</b>

### Acres within each Ecological Section (Table 3)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest	Total Acres
Restore	0	54	0	162	0	216
Protect in Fee with State PILT Liability	0	0	0	0	0	0
Protect in Fee w/o State PILT Liability	0	0	0	0	0	0
Protect in Easement	0	520	0	520	0	1,040
Enhance	0	258	0	468	0	726
<b>Total</b>	<b>0</b>	<b>832</b>	<b>0</b>	<b>1,150</b>	<b>0</b>	<b>1,982</b>

### Total Requested Funding within each Ecological Section (Table 4)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest	Total Funding
Restore	-	\$93,400	-	\$108,600	-	\$202,000
Protect in Fee with State PILT Liability	-	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-	-
Protect in Easement	-	\$919,000	-	\$919,000	-	\$1,838,000
Enhance	-	\$273,900	-	\$369,100	-	\$643,000
<b>Total</b>	<b>-</b>	<b>\$1,286,300</b>	<b>-</b>	<b>\$1,396,700</b>	<b>-</b>	<b>\$2,683,000</b>

### Average Cost per Acre by Resource Type (Table 5)

Type	Wetland	Prairie	Forest	Habitat
Restore	\$1,600	\$848	-	-

Protect in Fee with State PILT Liability	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-
Protect in Easement	-	-	-	\$1,767
Enhance	\$1,851	\$824	-	-

### Average Cost per Acre by Ecological Section (Table 6)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest
Restore	-	\$1,729	-	\$670	-
Protect in Fee with State PILT Liability	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-
Protect in Easement	-	\$1,767	-	\$1,767	-
Enhance	-	\$1,061	-	\$788	-

### Target Lake/Stream/River Feet or Miles

## Outcomes

### Programs in forest-prairie transition region:

- Protected, restored, and enhanced nesting and migratory habitat for waterfowl, upland birds, and species of greatest conservation need ~ *This program will permanently protect 411 acres of wetland and upland habitat complexes and restore/enhance 312 acres of wetlands and prairies in the forest-prairie transition region. Measure: Acres protected; acres restored; acres enhanced.*

### Programs in prairie region:

- Remnant native prairies and wetlands are perpetually protected and adequately buffered ~ *This program will permanently protect 412 acres of wetland and upland habitat complexes and restore/enhance 630 acres of wetlands and prairies in the prairie region. Measure: Acres protected; acres restored; acres enhanced.*

## Parcels

*For restoration and enhancement programs ONLY: Managers may add, delete, and substitute projects on this parcel list based upon need, readiness, cost, opportunity, and/or urgency so long as the substitute parcel/project forwards the constitutional objectives of this program in the Project Scope table of this accomplishment plan. The final accomplishment plan report will include the final parcel list.*

## Parcel Information

### Sign-up Criteria?

[Yes](#)

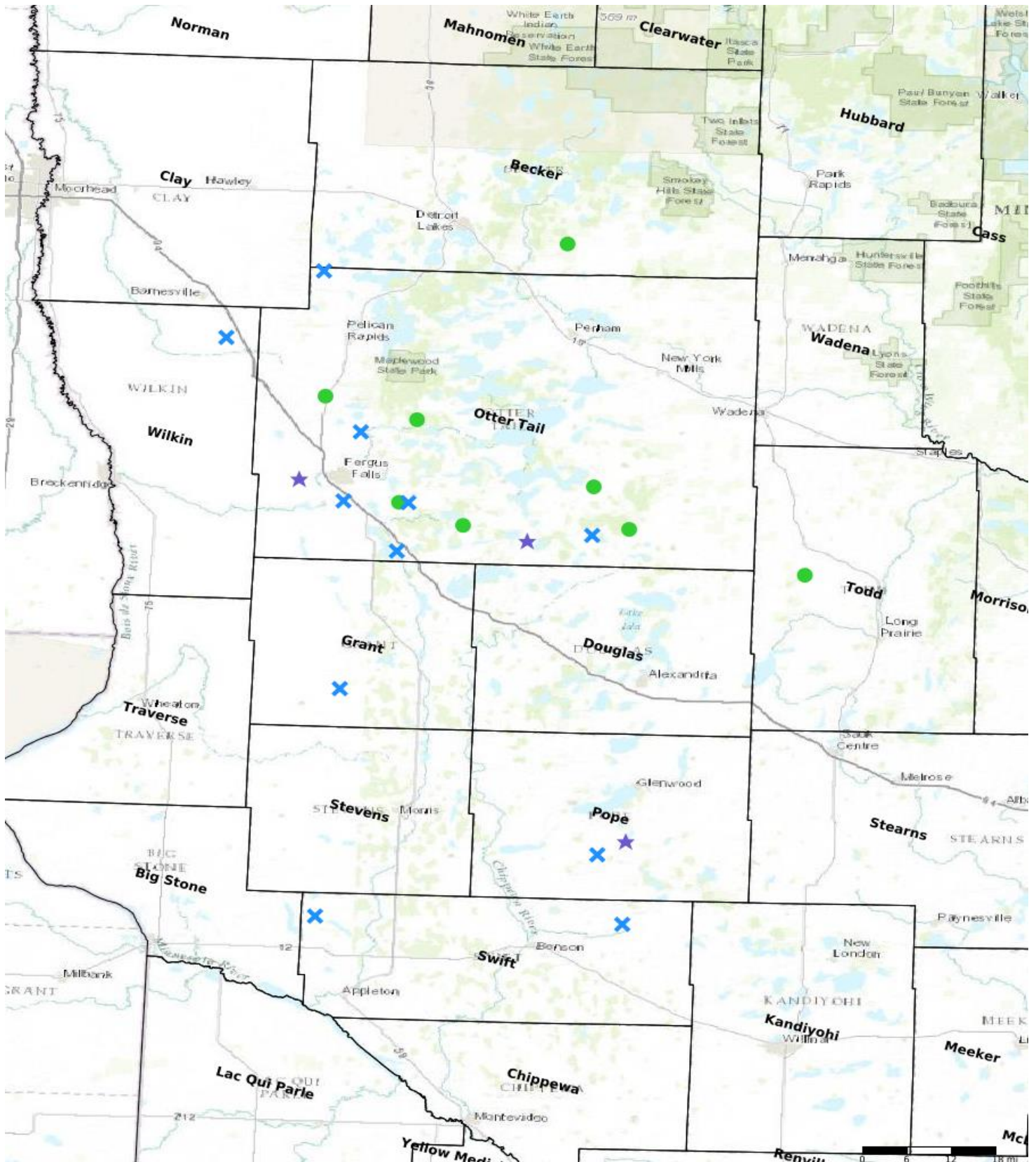
**Explain the process used to identify, prioritize, and select the parcels on your list:**

## Restore / Enhance Parcels

Name	County	TRDS	Acres	Est Cost	Existing Protection
DVel	Grant	12743203	4	\$7,600	Yes
DRen	Otter Tail	13743205	198	\$27,400	Yes
RScoDBra	Otter Tail	13244202	25	\$10,000	Yes
JCMar	Otter Tail	13242223	71	\$46,000	Yes
LWRog	Otter Tail	13243222	76	\$60,000	Yes
FFFGCDem	Otter Tail	13142227	211	\$165,500	Yes
KEva	Otter Tail	13140213	54	\$63,428	Yes
FFFGCSau	Otter Tail	13443236	102	\$100,400	Yes
CHanMSla	Otter Tail	13138207	188	\$167,900	Yes
NEst	Pope	12438223	137	\$38,600	Yes
Ande	Pope	12438232	32	\$12,000	Yes
Flad	Swift	12238223	182	\$22,000	Yes
Lehn	Swift	12243220	39	\$12,000	Yes
TMal	Wilkin	13645228	154	\$77,100	Yes

## Protect Parcels

Name	County	TRDS	Acres	Est Cost	Existing Protection
Hungry Lake	Becker	13839210	200	\$300,000	No
East Red River	Otter Tail	13442224	80	\$120,000	No
Battle Creek	Otter Tail	13238206	90	\$135,000	No
Folden Woods	Otter Tail	13138202	410	\$615,000	No
Pomme de Terre	Otter Tail	13242222	40	\$75,000	No
Pelican River	Otter Tail	13443205	100	\$150,000	No
Long Lake	Otter Tail	13141202	20	\$30,000	No
Rose City	Todd	13035201	255	\$382,500	No



- Protect in Easement
- ▲ Protect in Fee with PILT
- Protect in Fee W/O PILT
- ★ Restore
- ✕ Enhance
- + Other

**Parcel Map**  
**Wetland Habitat and Protection Program - Phase 5**  
**(Data Generated From Parcel List)**